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WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

RUBY L. SEMIEN

: DOCKET NO. 05-1382

VS.

: JUDGE MINALDI

JO ANNE B. BARNHART,
COMMISSIONER OF SOCIAL
SECURITY

: MAGISTRATE JUDGE WILSON

JUDGMENT OF DISMISSAL

On December 5, 2005, the court issued an order wherein it was noted that: the case was over four months old, there was no return of service as to defendant, and that the court was considering dismissing the case. Plaintiff was allotted 11 calendar days to perfect service, or to provide good cause for her inability to do so.

As of today, there is no indication in the record that defendant has been served, nor has plaintiff explained to the court her failure to serve defendant. Since more than 120 days have elapsed without service of process having been perfected or return of service filed in the record, it is ordered that plaintiff's suit be, and it is hereby DISMISSED, without prejudice. LR 41.3W, Fed.R.Civ.P. 4(m). The case may be reinstated upon good cause shown within the next thirty (30) days from today.

THUS DONE AND SIGNED in Chambers at Lake Charles, Louisiana, this 17 day of January, 2006.


PATRICIA MINALDI
UNITED STATES DISTRICT JUDGE